

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-21 are currently pending. Claims 1, 9 and 15 are independent. Claims 1, 8, 9, 14, 15 and 21 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102

Claims 1-21 were rejected under 35 U.S.C. §102 as allegedly anticipated by Japanese Patent No. JP 2000-232458 to Yokogawa et al. (hereinafter, merely “Yokogawa”).

Applicants respectfully traverse this rejection.

Independent claim 1 is representative and recites, *inter alia*:

“... said wireless communication apparatus for the base station performs scan processing of inputs of said antenna bodies and waits for receiving data, except for the time of making the wireless transmission.” (Emphasis added).

The Office Action points to Yokogawa drawing 8, paragraph [0005] for this claim 1 element previously recited in claim 8 of the present application. However, Yokogawa paragraph

[0005] only describes a format of the communication link frame used to communicate between the key station and the child offices. There is no suggestion in Yokogawa the key station (wireless communication apparatus) scans the antenna inputs for received data “except for the time of making the wireless transmission,” as recited in claim 1.

In contrast, claim 1 recites, “wireless communication apparatus for the base station performs scan processing of inputs of said antenna bodies and waits for receiving data, except for the time of making the wireless transmission.” That is, in an aspect of the present invention, when the wireless terminal apparatus transmits data to the wireless communication apparatus, the wireless communication apparatus scans the antenna switch and waits for receiving an input, except for the case where the wireless communication apparatus is in transmission processing, so that data can be received using the antenna that receives the strongest radio wave from the communication-targeted wireless terminal apparatus. Publ. App. pars. [0050] and [0054]. Thus, Yokogawa only describes a format of the communication link frame but not the selecting means of the antenna that receives the strongest radio wave from the communication-targeted wireless terminal apparatus in the manner recited in claim 1.

Thus, claim 1 is not anticipated by Yokogawa because that reference does not disclose each and every element recited in the claim.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 9 and 15 are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1-21 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 

Paul A. Levy
Reg. No. 45,748
(212) 588-0800